



# Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13<sup>th</sup> Avenue South, St. Petersburg, Florida 33701

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## NOAA is Seeking Public Comment on Modifications to the Gulf of Mexico Greater Amberjack Rebuilding Plan Amendment

NOAA Fisheries Service is seeking public comment on Amendment 35 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico. The Gulf of Mexico Fishery Management Council (Council) submitted Amendment 35 to NOAA Fisheries Service for review, approval, and implementation. The Notice of Availability for public comment on this amendment published in the *Federal Register* on July 3, 2012.

### Purpose of the Amendment 35

Greater Amberjack is overfished (population abundance is too low) and undergoing overfishing (rate of removal too high). The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that overfished stocks be rebuilt and that overfishing be halted. Therefore, the primary purpose of Amendment 35 is to end overfishing of greater amberjack and allow the stock to rebuild to healthy levels.

### Addressing Changes to Rebuilding Plan

In 2008, NOAA Fisheries Service issued a final rule establishing commercial and recreational quotas, accountability measures, and a rebuilding plan for the overfished greater amberjack. In response to the 2010 update stock assessment, the Council's Science and Statistical Committee recommended an acceptable biological catch (ABC) of 1,780,000 lb. This ABC was less than the current annual catch limit (ACL) established in Amendment 30A. Therefore, adjustments to the rebuilding plan are required to meet the requirements of the Magnuson-Stevens Act to prevent overfishing, rebuild the overfished stock, and promote optimum yield.

National Standard 1 guidelines state "If catch exceeds the ACL for a given stock or stock complex more than once in the last four years, the system of ACLs and accountability measures should be re-

evaluated, and modified if necessary, to improve its performance and effectiveness." The greater amberjack stock ACL has been exceeded twice in the last three years.

### Commercial Trip Limit

The amendment would establish a commercial sector trip limit of 2,000 lb throughout the fishing year. Implementing a trip limit would allow a longer fishing season for the commercial sector.

### Annual Catch Targets (ACTs)

The Council selected to use the ABC Control Rule to establish ACTs for the commercial and recreational sectors. The commercial allocation is 27% and the recreational allocation is 73% of the ACL. Until a future stock assessment is completed or the ACL is exceeded, the commercial ACT will be 409,000 lb, while the recreational ACT will be 1,130,000 lb. These ACTs act as sector specific quotas.

### Request for Comments

The Notice of Availability published in the *Federal Register* on July 3, 2012. Written comments on the amendment must be received **no later than September 4, 2012**, to be considered by NOAA Fisheries Service. All comments received by NOAA Fisheries Service will be addressed in the final rule. Electronic copies of the amendment may be obtained from the Federal e-Rulemaking Portal at [www.regulations.gov](http://www.regulations.gov), and the Gulf of Mexico Fishery Management Council's Web site at [www.regulations.gov](http://www.regulations.gov).

### How to Submit Comments

You may submit comments by either of the following methods. Comments received through other means may not be considered.

**Electronic Submissions:** Federal e-Rulemaking Portal: [www.regulations.gov](http://www.regulations.gov)

- Enter the following docket number into the “Search” box: **NOAA-NMFS-2012-0107**.
- Select the appropriate title, and click “Submit a Comment.” This will display the comment webform.

- Attachments to electronic comments (up to 10 MB) will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

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